

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**SANDOZ INC.**

**v.**

**LANNETT COMPANY, INC.**

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**CIVIL ACTION NO. 20-3538**

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**ORDER**

This 28<sup>th</sup> day of December 2020, it is hereby **ORDERED** that Defendant's Motion to Dismiss, ECF 41, is **GRANTED in part and DENIED in part** as follows:

1. Defendant's motion to dismiss Count II is **GRANTED**, and this claim is dismissed.
2. In all other respects the Motion is **DENIED**.

/s/ Gerald Austin McHugh  
United States District Judge